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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,082	12/29/2000	Eric C. Anderson	P212/1976P	4003

			EXAMINER
49278 7590 05/10/2006			COFFY, EMMANUEL

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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/752,082	ANDERSON, ERIC C.
	Examiner	Art Unit	
	Emmanuel Coffy	2157	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _09 May 2005_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-37_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-37_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the Appeal Brief filed on May 9, 2005. Claims 1-37 are

pending. Claims 1-37 represent method and apparatus for a meta-application architecture for

integrating photo-service websites for browser-enabled devices.

Response to Arguments

2.   Applicant's arguments with respect to the claims have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claim 24 is rejected under 35 U.S.C. §112 ¶2, as being indefinite for failing to

particularly point out and distinctly claim the subject matter which applicant regards as the

invention due to ambiguous language. A reasonable artisan skilled in the art could not

comprehend the claims as written. The claims recite: "...imaging related function..."

The phrase "imaging related function" renders the claim indefinite because the claim

includes elements not actually disclosed (those encompassed by " imaging related function "),

thereby rendering the scope of the claim unascertainable. See MPEP § 2173.05(d). For

purposes of examination "imaging related function" is understood as imaging function". This is

applicable to all other claims where the phrase "imaging related function" is found.

Claim 24 is further rejected under 37 CFR 1.75(c), as being of improper dependent form

for failing to further limit the subject matter of a previous claim.

Furthermore, every claim which claims dependency on a claim rejected under this

paragraph is rejected by virtue of said dependency.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another
> who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the
> invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA)

and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when

the reference is a U.S. patent resulting directly or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e)

prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5.   <u>Claims 1-3 and 12-14 are rejected under 35 USC §102(e) as being anticipated by Safai</u>

<u>(US 6,715,003).</u>

Safai teaches the invention as claimed including a photo service provider, which

provides remote developing, printing, and delivery of photographic prints of digital images. See

abstract.

<u>Claim 1</u>:

Safai teaches a method for integrating web photo-services for a browser-enabled device,

comprising the steps of: <u>(See Fig. 8)</u>

(a)   providing a server that communicates with the device over a network; <u>(See Fig.</u>

<u>8, (801), (100) and (808))</u>.

(b)   associating images stored on at least one photo-service site with a user account;

<u>(See col. 16, lines 53-64</u>.)

(c)   receiving from the device an inventory of images stored on the device; <u>(See col.</u>

14, line 65-col. 15, line 51.)

(d)   providing an image-related web application to the device over the network, the

web application requiring access to the user's images; and (See col. 20, lines 1-46.)

(e) providing a list of the images associated with a user's account to the web application,

wherein the list of images includes an image reference for each image and an indication of

whether each image is stored on the device or on the photo-service site, such that the web

application may perform at least one function on the users images regardless of where the

images are stored. (See col. 16, lines 53-64; col. 20, lines 1-46 and col. 20, line 65-col. 21, line

65.)

Claim 2:

Safai teaches the method of claim 1 as discussed above further including the step of

allowing the user to select the web application from the browser-enabled device. (See col. 5 and

col. 6, index (100) and col. 7). (A client terminal with a browser's program could be any system

so equipped. As a matter of fact, small devices such as cell phones are now browser enabled

and hence may perform such task as selecting a web application if so programmed.)

Claim 3:

Safai teaches the method of claim 2 as discussed above, further including the step of:

for images that are identified in the list as being stored locally on the browser-enabled device,

generating by the web application a reference that comprises a file path to the image in the

browser-enabled device along with a resize command; and for images that are identified in the

list as being stored on a remote server, requesting a reference to a resized image from the

server. (See col. 16, line 30-col. 17, line 30).

Claim 12:

Safai teaches a system for integrating web photo-services for a browser-enabled device

comprising: (See Fig. 8)

       means for providing a server that communicates with the device over a network; (See

Fig. 8, (801), (100) and (808)).

       means for associating images stored on at least one photo-service site with a user

account; (See col. 16, lines 53-64.)

       means for receiving from the device an inventory of images stored on the device; means

for providing an image-related web application to the device over the network, the web

application requiring access to the user's images; and (See col. 14, line 65-col. 15, line 51.)

       means for providing a list of the images associated with a user's account to the web

application, wherein the list of images includes an image reference for each image and an

indication of whether each image is stored on the device or on the photo-service site, such that

the web application may perform at least one function on the users images regardless of where

the images are stored. (See col. 16, lines 53-64; col. 20, lines 1-46 and col. 20, line 65-col. 21,

line 65.)

Claim 13:

       Safai teaches the system of claim 12 wherein the user selects a web application from

the browser-enabled device. (See col. 5 and col. 6, index (100) and col. 7). (A client terminal

with a browser's program could be any system so equipped. As a matter of fact, small devices

such as cell phones are now browser enabled and hence may perform such task as selecting a

web application if so programmed).

Claim 14:

       Safai teaches the system of claim 13 wherein for images that are identified in the list as

being stored locally on the browser-enabled device, the web application generates a reference

that comprises a file path to the image in the browser-enabled device along with a resize

command, and for images that are identified in the list as being stored on a remote server, the web application requests these images from the server. (See col. 16, line 30-col. 17, line 30)

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 4-11 and 15-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Safai (US 6,715,003) in view of LeMole (US 6,009,410).

Claim 4:

Safai substantially teaches the method of claim 3 as discussed above. Safai does not specifically teach the steps of: for images that are identified in the list as being stored on a remote server, configuring the server to fetch the image from the indicated location; resizing and converting the image to the required format, and passing a URL to the resized and converted image back to the web application for insertion into a web page that is transmitted from the web application to the browser-enabled device. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 5:

Safai substantially teaches the method of claim 4 as discussed above. Safai does not specifically teach the step of interpreting by the web browser the references from the web application and rendering the images on the browser-enabled device. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 6:

Safai substantially teaches the method of claim 5 further including the steps of: allowing by the web application the user to select from among the displayed images; and performing a function on the selected images. (See col. 17, lines 5-28.)

Claim 7:

Safai substantially teaches the method of claim 6 as discussed above. Safai does not specifically teach further including the step of providing a customized web browser for reporting the content of the browser-enabled device to the server. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 8:

Safai substantially teaches the method of claim 7. Safai does not specifically teach

further including the step of configuring the customized browser to report the image contents of

the browser-enabled device automatically. However, LeMole does. See column 4 line 15-35 and

column 5 lines 34-40. (Also See Safai col. 5 and col. 6, index (100) and col. 7). (A client terminal

with a browser's program could be any system so equipped. As a matter of fact, small devices

such as cell phones are now browser enabled and hence may perform such task as such

reporting the image contents of the browser-enabled device automatically if so programmed.)

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine

the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone else. For

these people, there is an acute need to simplify and expedite the process of sending pictures from

themselves to someone else. Thus, this system would fulfill such need.

Claim 9:

Safai substantially teaches the method of claim 7. Safai does not specifically teach

further including the step of configuring the customized browser to report the image contents of

the browser-enabled device by request. However, LeMole does. See column 4 line 15-35 and

column 5 lines 34-40. (Also See Safai col. 5 and col. 6, index (100) and col. 7). (A client terminal

with a browser's program could be any system so equipped. As a matter of fact, small devices

such as cell phones are now browser enabled and hence may perform such task as such

reporting the image contents of the browser-enabled device by request if so programmed).

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 10:

Safai substantially teaches the method of claim 9 further including the step of showing available web applications to the user via hyperlinks on a web page. (See col. 16, lines 53-64; col. 20, lines 1-46 and col. 20, line 65-col. 21, line 65.)

Claim 11

Safai substantially teaches the method of claim 10. Safai does not specifically teach further including the step of including metadata for each image in the list sent from the server to the web application.

According to Microsoft Computer dictionary, 5th ed., metadata is data about data. As presented by the teachings of LeMole, operations involving metadata are found at column 4, lines 56-58, column 5, lines 63 trough column 6, line 19 and throughout the disclosure. Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 15:

Safai substantially teaches the system of claim 14 as discussed above. Safai does not

specifically teach wherein server further functions to; for images that are identified in the list as

being stored on a remote server, the server fetches the image from the indicated location;

resizes and converts the image to the required format, and passes a URL to the resized and

converted image back to the web application for insertion into a web page that is transmitted

from the web application to the browser-enabled device. However, LeMole does. See column 4

line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine

the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 16:

Safai substantially teaches the system of claim 15 as discussed above. Safai does not

specifically teach wherein the web browser interprets the references from the web application

and renders the images on the browser-enabled device. However, LeMole does. See column 4

line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine

the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 17:

Safai substantially teaches the system of claim 16 the web application allows the user to select from among the displayed images and performs a function on the selected images. (See col. 17, lines 5-28.)

Claim 18:

Safai substantially teaches the system of claim 17 as discussed above. Safai does not specifically teach wherein the web browser is configured to report the image contents of the browser-enabled device automatically. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40. (Also See Safai col. 5 and col. 6, index (100) and col. 7). (A client terminal with a browser's program could be any system so equipped. As a matter of fact, small devices such as cell phones are now browser enabled and hence may perform such task as such reporting the image contents of the browser-enabled device automatically if so programmed.)

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 19

Safai substantially teaches the system of claim 18 as discussed above. Safai does not specifically teach wherein the web browser is configured to report the image contents of the browser-enabled device by request. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40. (Also See Safai col. 5 and col. 6, index (100) and col. 7). (A client terminal

with a browser's program could be any system so equipped. As a matter of fact, small devices

such as cell phones are now browser enabled and hence may perform such task as such

reporting the image contents of the browser-enabled device by request if so programmed).

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine

the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 20:

Safai substantially teaches the system of claim 19 wherein available web applications

are shown to the user via hyperlinks on a web page. (See col. 16, lines 53-64; col. 20, lines 1-46

and col. 20, line 65-col. 21, line 65).

Claim 21:

Safai substantially teaches the system of claim 20 as discussed above. Safai does not

specifically teach wherein metadata for each image is included in the list sent from the server to

the web application.

According to Microsoft Computer dictionary, 5th ed., metadata is data about data. As

presented by the teachings of LeMole, operations involving metadata are found at column 4,

lines 56-58, column 5, lines 63 trough column 6, line 19 and throughout the disclosure. Hence, it

would have been obvious for an artisan of ordinary skill in the art to combine the invention of

Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone

else. For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 22:

Safai substantially teaches an online system comprising: (See Fig. 8)

a client device having user files stored thereon; (See Fig. 8 (100) and Fig. 4D)

a server in communication with the client device over a network, the server for

associating files uploaded from the client device with a particular user and for transmitting the

user files to a remote server for storage, the server further for supplying a web application to the

client device; and (See Fig. 6-8) (See col. 5 and col. 6, index (100) and col. 7).

Safai does not specifically teach a browser running on the client device for interacting

with the web application, wherein the browser is customized to report the user files stored on

the client device to the server, wherein when requested, the second server provides the web

application with a list identifying the user's files that are stored on both the client device and the

remote server, such that the web application may operate on the all of the user's files regardless

of the files' storage location. However, LeMole does. See column 4 line 15-35 and column 5

lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine

the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 23:

Safai substantially teaches the online system of claim 22 wherein the files comprise

image files. (See Fig. 4E) See also col. 7, lines 40-47).

Claim 24:

Safai substantially teaches the online system of claim 23 wherein the web application

performs imaging function on the image files. (See col. 17, lines 5-28.)

Claim 25:

Safai substantially teaches the online system of claim 24 wherein the remote server

comprises a web site separate from the server. (See Fig. 8 (801)).

Claim 26:

Safai substantially teaches the online system of claim 25 wherein the client device

comprises an image capture device. (See Fig. 1 and col. 5 and col. 6, index (100) and col. 7).

Claim 27

Safai substantially teaches the online system of claim 26 including a plurality of client

devices that communicate data in different formats, (See col. 15, lines 62-64) Safai does not

specifically teach: "and a plurality of online photo service sites, wherein each of the photo

service sites utilize different data models, the server further including;

a meta-application for defining a common data model format for the different formats of

the photo service sites, such that when a request is received from a client device for photo

services from a particular photo service site, the request is passed to the photo service site, and

wherein when a response from the photo service site is received, the response is converted

from the data model of the photo service site to the common data model format, (See Safai col.

15, lines 62-64) the converted request is then presented to the requesting client device in the

data format required by the requesting client device." However, LeMole does. See Fig. 1.

According to Microsoft Computer dictionary, 5th ed., metadata is data about data. As

presented by the teachings of LeMole, operations involving metadata are found at column 4,

lines 56-58, column 5, lines 63 trough column 6, line 19 and throughout the disclosure. Hence, it

would have been obvious for an artisan of ordinary skill in the art to combine the invention of

Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone

else. For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 28

Safai substantially teaches a method for allowing a web application to access image files

stored on both a client device and distributed across remote locations, the method comprising

the steps of: (See Fig. 6-8)

(a) providing a gateway server that communicates with the client device and associates

images from the client device with a user account; (See col. 17, lines 1-16; col. 20, line 65-col.

21, line 5).

(d) receiving a request by the gateway server from the web application asking what

images are available for the user; and (See Image Transport Application and Service beginning

at col. 7, line 63).

(e) sending to the web application from the gateway server a list of image references

corresponding to the user's images, wherein each image reference identifies one of the user's

images and whether the image is stored on the client device or on a remote server, such that

the image references allow the web application to sort and select the images to carry out a

predefined function even though the web application is not given access directly to the user's

images. (See Image Transport Application and Service beginning at col. 7, line 63).

Safai does not specifically teach:

(b) providing the client device with a customized browser that is capable of reporting the image contents of the device to the gateway server;

(c) connecting the client device with a web application; However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 29

Safai substantially teaches the method of claim 28 further including the step of allowing the user to select a web application from the client device. (See col. 5 and col. 6, index (100) and col. 7). (A client terminal with a browser's program could be any system so equipped. As a matter of fact, small devices such as cell phones are now browser enabled and hence may perform such task as selecting a web application if so programmed.)

Claim 30:

Safai substantially teaches the method of claim 29 further including the step of: for images that are identified in the list as being stored locally on the client device, generating by the web application a reference that comprises a file path to the image in the client device along with a resize command; and for images that are identified in the list as being stored on a remote server, requesting the image from the gateway server. (See col. 16, line 30-col. 17, line 30).

Claim 31:

Safai substantially teaches the method of claim 30 as discussed above. Safai does not specifically teach: further including the steps of: configuring the gateway server to fetch the image from the indicated location; resizing and scaling the image; translating the reference to the image from a HTTP URL into a file path on the client device; and transmiting the resized image and its reference to the client device for use by the web application. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 32 :

Safai substantially teaches the method of claim 31 as discussed above. Safai does not specifically teach: further including the step of interpreting by the browser the references from the web application and rendering the images on the client device. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40.

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 33:

Safai substantially teaches the method of claim 32 further including the steps of: allowing by the web application the user to select from among the displayed images; and performing a function on the selected images. . (See col. 17, lines 5-28.)

Claim 34

Safai substantially teaches the method of claim 33 as discussed above. Safai does not specifically teach: further including the step of configuring the customized browser to report the image contents of the client device automatically. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40. (Also See Safai col. 5 and col. 6, index (100) and col. 7). (A client terminal with a browser's program could be any system so equipped. As a matter of fact, small devices such as cell phones are now browser enabled and hence may perform such task as such reporting the image contents of the browser-enabled device automatically if so programmed.)

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot afford, or do not want to use a personal computer in order to send a picture to someone else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 35:

Safai substantially teaches the method of claim 34 as discussed above. Safai does not specifically teach: further including the step of configuring the customized browser to report the image contents of the client device by request. However, LeMole does. See column 4 line 15-35 and column 5 lines 34-40. (Also See Safai col. 5 and col. 6, index (100) and col. 7). (A client

terminal with a browser's program could be any system so equipped. As a matter of fact, small

devices such as cell phones are now browser enabled and hence may perform such task as

such

reporting the image contents of the browser-enabled device by request if so programmed).

Hence, it would have been obvious for an artisan of ordinary skill in the art to combine

the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone else.

For these people, there is an acute need to simplify and expedite the process of sending

pictures from themselves to someone else. Thus, this system would fulfill such need.

Claim 36:

Safai substantially teaches the method of claim 35 further including the step of showing

available web applications to the user via hyperlinks on a web page. (See col. 16, lines 53-64;

col. 20, lines 1-46 and col. 20, line 65-col. 21, line 65.)

Claim 37:

Safai substantially teaches the method of claim 36 as discussed above. Safai does not

specifically teach: further including the step of including metadata for each image in the list sent

from the gateway server to the web application. According to Microsoft Computer dictionary, 5th

ed., metadata is data about data. As presented by the teachings of LeMole, operations involving

metadata are found at column 4, lines 56-58, column 5, lines 63 trough column 6, line 19 and

throughout the disclosure. Hence, it would have been obvious for an artisan of ordinary skill in

the art to combine the invention of Safai with the teachings of LeMole.

There are millions of people who enjoy taking pictures but do not have access to, cannot

afford, or do not want to use a personal computer in order to send a picture to someone

else. For these people, there is an acute need to simplify and expedite the process of sending pictures from themselves to someone else. Thus, this system would fulfill such need.

8.   The Examiner asserts that Claims 1-37 could have been rejected under 35 U.S.C. §103(a) as being unpatentable over Acosta et al. (US 6,166,729) in view of Helfman (US 6,119,135). The motivation would be the same as articulated above.

CONCLUSION

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Katz et al. (U.S. 5,926,624) teaches "Digital Information Library and Delivery System with Logic for Generating Files Targeted to the Playback Device."

- Helfman (U.S. 6,119,135) teaches " Method for passively browsing the Internet using images extracted from web pages."

- Acosta et al. (US 6,166, 729) teaches " Remote Digital Image Viewing System and Method."

- Morris (U.S. 6,453,361) teaches "Meta-Application Architecture for Integrating Photo-Service Websites."

- Anderson (U.S. 6,567,122) teaches " Method and System for Hosting an Internet Web Site on a Digital Camera."

- Sheets (U.S. 4,513,373) teaches " Local Area Network."

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-3997. The examiner can normally be reached on 8:30 - 5:00 P.M.
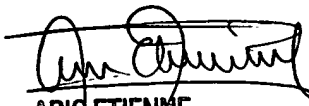
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization

where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Emmanuel Coffy
> Patent Examiner
> Art Unit 2157

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EC
May 3, 2006

ARIO ETIENNE
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